

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)
022331-000220US

In re Application of: Shaun Joseph Cunningham

Application No.: 10/634,512

Filed: August 4, 2003

For: METHOD AND RESULTING STRUCTURE FOR MANUFACTURING SEMICONDUCTOR SUBSTRATES

The owner*, EpiTactix Pty Ltd., of 100
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent
granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending
reference Application Number 10/389,278, filed on 3/13/2003, as
such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any
terminal disclaimer filed prior to the grant of any patent on pending **reference** application. The owner hereby agrees that any patent so granted
on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are
commonly owned. This agreement runs with any patent granted on the instant application and is
binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would
extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference**
application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the
grant of any patent on the pending **reference** application," in the event that: any such patent: granted on the pending **reference** application:
expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed
in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner
terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency,
etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and
belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so
made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false
statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 37,692

Signature

2/1/05

Date

Richard T. Ogawa
Typed or printed name(650) 326-2400
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

The Commissioner is authorized to charge Deposit Account No.: 20-1430.

**WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.**

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.